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MANUFACTURING CORPORATION OF  
CALIFORNIA

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

MOMO NGUYEN, on behalf of herself all  
others similarly situated ,

Plaintiff,

vs.

SMTC MANUFACTURING CORPORATION  
OF CALIFORNIA, et al.,

Defendants.

Case No.: 4:24-cv-07394-JST

**JOINT STIPULATION FOR RELIEF  
FROM ORDER SETTING INITIAL  
CASE MANAGEMENT  
CONFERENCE; ~~PROPOSED~~ ORDER**

Judge: Hon. Jon S. Tigar  
Location: Courtroom 6, 2nd Fl.

Complaint Filed: January 18, 2023  
Trial Date: None Set

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MOMO NGUYEN

1 Plaintiff Momo Nguyen (“Plaintiff”) and Defendants SMTC Manufacturing Corporation of  
 2 California, SMTC Corporation, 40 HRS, Inc., and CheckOne, Inc (“Defendants”) (collectively, the  
 3 “Parties”), by and through their attorneys of record, hereby stipulate as follows:

4 WHEREAS, Defendants SMTC Manufacturing Corporation of California and SMTC  
 5 Corporation (the “SMTC Defendants”) removed this action from the Alameda County Superior  
 6 Court on October 23, 2024;

7 WHEREAS, the action was assigned to the Honorable Laurel Beeler who issued an Order  
 8 Setting Initial Case Management Conference, setting a deadline of: January 2, 2025, to meet and  
 9 confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan;  
 10 and a deadline of January 16, 2025, to make FRCP 26(f) initial disclosures;

11 WHEREAS, on November 5, 2024, the action was re-assigned to the Honorable Jon S. Tigar  
 12 for all further proceedings;

13 WHEREAS, on November 5, 2024, the Clerk of Court vacated all hearing dates and trial  
 14 dates for this case, but left all other deadlines, “such as those for ADR compliance and discovery  
 15 cutoff” unaffected;

16 WHEREAS, On November 6, 2024, the Clerk of Court issued a Notice setting a case  
 17 management conference for February 4, 2025, with a joint case management statement to be filed  
 18 by January 28, 2025;

19 WHEREAS, on November 13, 2024, Defendants filed motions to compel arbitration which  
 20 were scheduled to be heard on December 19, 2024;

21 WHEREAS, on December 5, 2024, the Court took Defendants’ motions under submission  
 22 on the briefs and vacated the hearings for those motions;

23 WHEREAS, on November 22, 2024, Plaintiff filed a motion to remand, which was  
 24 scheduled to be heard on January 16, 2025 (collectively, Defendants’ motions to compel arbitration  
 25 and Plaintiff’s motion to remand shall be referred to as the “Pending Motions”);

26 WHEREAS, on January 6, 2025, the Court issued a notice vacating the motion for remand  
 27 hearing and finding the matter suitable for disposition without oral argument; and

28 WHEREAS, the Parties met and conferred on January 2, 2025 and agreed, subject to the

1 Court's approval, that the deadlines in the Order Setting Initial Case Management Conference  
 2 should be continued until after the Court rules on the Pending Motions because both Plaintiff and  
 3 Defendants contend this Court does not have jurisdiction over this dispute—Plaintiff arguing there  
 4 is no federal jurisdiction and Defendants arguing Plaintiff agreed to arbitrate the claims asserted in  
 5 her Complaint;

6 THEREFORE, the Parties stipulate and agree, pursuant to Civil Local Rules 16-2(d) and 7-  
 7 12 and pursuant to the Court's approval, that the Order Setting Initial Case Management Conference  
 8 be revised to continue the Initial Case Management Conference and related deadlines to 30 days  
 9 after the Court rules on the Pending Motions, i.e.:

- 10 • Deadline to meet and confer re: initial disclosures, early settlement, ADR process  
 11 selection, and discovery plan (See F.R. Civ. P. 26(f)): 21 days after the Court rules  
 12 on the Pending Motions;
- 13 • Deadline to make initial disclosures (See F.R. Civ. P. 26(a)(1)): 30 days after the  
 14 Court rules on the Pending Motions;
- 15 • Deadline to file Joint Case Management Statement: 21 days after the Court rules on  
 16 the Pending Motions; and
- 17 • Initial Case Management Conference: 30 days after the Court rules on the Pending  
 18 Motions.

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Respectfully submitted,

Dated: January 8, 2025

**DLA PIPER LLP (US)**

By: /s/ Julie A. Dunne

JULIE A. DUNNE  
ALBERTO J. CORONA  
JOSEPH J. KIM

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MANUFACTURING CORPORATION  
OF CALIFORNIA

Dated: January 8, 2025

**DUONG SI TRAN**

By: /s/ Duong Si Tran

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40 HRS, INC. and CHECKONE, INC.

Dated: January 8, 2025

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By: /s/ Joshua S. Falakassa

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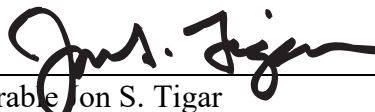
**~~PROPOSED~~ ORDER**

Having reviewed and considered the Parties' stipulation to revise the Order Setting Initial Case Management Conference, and good cause appearing, the Court hereby orders that the Order Setting Initial Case Management Conference be revised to continue the Initial Case Management Conference and related deadlines to 30 days after the Court rules on the Pending Motions, i.e.:

- Deadline to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan (See F.R. Civ. P. 26(f)): ~~21 days after the Court rules on the Pending Motions;~~ March 17, 2025
- Deadline to make initial disclosures (See F.R. Civ. P. 26(a)(1)): ~~30 days after the Court rules on the Pending Motions;~~ March 26, 2025
- Deadline to file Joint Case Management Statement: ~~21 days after the Court rules on the Pending Motions;~~ and March 18, 2025
- Initial Case Management Conference: ~~30 days after the Court rules on the Pending Motions;~~ March 25, 2025

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: January 9, 2025

  
 Honorable Jon S. Tigar  
 United States District Judge